

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Arbitration Between:

BIPINCHANDRA SHAH,

Petitioner,

- against -

COMMERCIAL BANK "OB'EDINENNYI
INVESTITSIONNYI BANK" (LIMITED LIABILITY
COMPANY),

Respondent.

Civil Action No.: 09 Civ. 6121 (HB)

~~PROPOSED~~ ORDER TO SHOW
CAUSE

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DATE FILED: 7/13/09

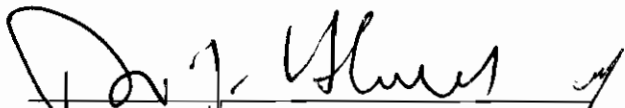
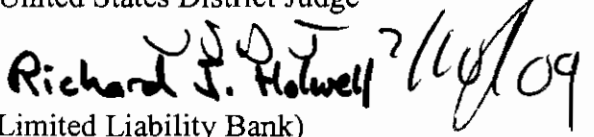
UPON the annexed declaration of John J. Hay sworn to on July 10, 2009, the
Petition for an Order of Attachment in Aid of Arbitration, the Declaration of Bipinchandra Shah
sworn to on June 30, 2009 and the exhibits thereto, and the memorandum of law in support, and
on all proceedings had herein, it is

ORDERED, that Respondent Commercial Bank "Obi'edinenny Investitsionnyi
Bank" (Limited Liability Bank) ("ObiBank") show cause before before the Honorable Harold
Baer, United States District Judge, at the Daniel Patrick Moynihan United States Courthouse,
500 Pearl Street, Courtroom 23B, New York, New York 10007 on August 11, 2009, at 12:30
a.m./p.m., or as soon thereafter as counsel can be heard, why Petitioner's Petition For an Order
of Attachment in Aid of Arbitration directing the attachment of ObiBank's Citibank Account
(account number 3625-3085) up to the amount of \$700,000 should not be granted; and

IT IS FURTHER ORDERED, that any opposition papers to this Order to Show Cause shall be served so as to be received by Petitioner's counsel and this Court no later than the ~~27~~ 27 day of July, 2009 by 12:01 p.m. Eastern Standard Time; and

IT IS FURTHER ORDERED, that Service by Federal Express upon Respondent ObiBank and its attorney, Clifford Chance, of a copy of this Order to Show Cause and the papers upon which it is based on or by July ~~14~~ 15, 2009 shall be deemed sufficient service thereof.

Dated: New York, New York
July 10, 2009


~~Hon. Harold Baer~~
United States District Judge
 7/16/09
Part I

To: Bank "Obi'edinenny Investitsionnyi Bank" (Limited Liability Bank)
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119049 Moscow, Russia

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10 Upper Bank Street
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